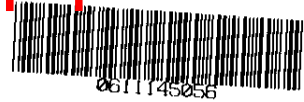


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Doc#: 0611145056 Fee: \$30.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/21/2006 08:57 AM Pg: 1 of 4

THIS AREA FOR RECORDER'S USE ONLY

ORDER APPOINTING GENERAL RECEIVER

Property Address: 410-414 SOUTH HAMLIN, CHICAGO, ILLINOIS

Legal Description: THE SOUTH 5 FEET OF LOT 4 AND ALL OF LOTS 5 AND 6 IN BLOCK 13 IN LAMBERT TREE'S SUBDIVISION OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 13, LYING EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN #: 16-14-113-026-0000

AFTER RECORDING RETURN TO:

**COMMUNITY INIATIVES, INC.
ATTN: JASON BLOYER
222 SOUTH RIVERSIDE PLAZA, SUITE 2200
CHICAGO, ILLINOIS 60606 -- (312) 258-0070**

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT— FIRST DISTRICT**

CITY OF CHICAGO, a Municipal Corporation,)

Plaintiff,)

vs.)

SOUTH HAMLIN, et al,)

Defendants.)

No. 05M1400669

Re: 41⁰-14 S HAMLIN AVE

**ORDER APPOINTING GENERAL RECEIVER
AND AUTHORIZING EMERGENCY REPAIRS**

This cause coming before the Court to be heard on the Plaintiff City of Chicago's Emergency Petition for Appointment of a General Receiver, the Court having jurisdiction over the parties and subject matter, and being duly advised;

THE COURT FINDS THAT:

1 Plaintiff is a municipal corporation, authorized to seek appointment of a receiver to correct conditions that fail to conform to minimum standards of health and safety 65 ILCS 5/11-31-2 (2005) and 765 ILCS 735/0 01, et seq (2007).

2 The property is owned by a Illinois Limited Partnership with a general managing partner, "Investment Management Corporation"(hereafter referred to as "IMC"). The partnership that holds title to this parcel (of which "IMC" is general partner) is entitled to exclusive possession of the subject property

3. Owing to the resignation of "IMC's" Board of Directors, the general partner is unable at this time to effectively exert its control and dominion over the partnership that owns the subject premises.

4. The premises are located within the City of Chicago, County of Cook, in the State of Illinois

5 On 03/28/05, inspectors from the City of Chicago Department of Buildings conducted an inspection of the subject premises and found certain building code violations contained therein that are enumerated with specificity in Plaintiff's Verified Complaint, incorporated herein by reference.

6. The City has notified defendants of these building violations at the premises by methods reasonably calculated to give actual notice to them, and in response, defendants have made certain efforts to correct the violations

7 Despite the defendants efforts mentioned herein, certain code repairs have not been completed.

8 Equitable remedies other than the appointment of a general receiver are inadequate because, on information and belief, the conditions which now exist at the premises will remain unabated without the appointment of a general receiver, and will result in the loss of salvageable housing stock, as well as irreparable harm to tenants, occupants and neighbors of the premises, and the general public.

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- 9. The City seeks appointment of a general receiver to the premises
- 10. The Receiver should be required to post an appropriate bond because the receiver shall be authorized to collect rent. 735 ILCS 5/2-415 (2004)
- 12. Applicant's bond should be excused pursuant to 65 ILCS 5/11-31-2.3 (2004)

WHEREFORE, IT IS HEREBY ORDERED THAT:

A. C11 is appointed Temporary General Receiver for the premises commonly known as _____, within the City of Chicago, County of Cook, for the purposes of completing a Feasibility Study and Management and Repair Plan for the premises, with the powers herein granted, until further order of Court.

B. The receiver shall perform the following duties:

To collect rent; investigate and report to this court on the feasibility of managing and repairing the property; to request information from the Department of Buildings and Fire Prevention Bureau as to the dangerous and hazardous conditions, and the order in which such conditions should be repaired; to obtain at least three (3) contractors bids for repairs of the dangerous and hazardous conditions at the property; to obtain information as to the condition of the title, which includes the current ownership and all other parties having an interest in the property; to employ and pay agents, attorneys, appraisers, and others as deemed necessary and appropriate; to evaluate the tenancy in the building; to obtain bids for property insurance that will include general liability and secure the receiver's certificates placed against the property, if any; to prepare a Feasibility Study and Management and Repair Plan, which includes a property and budget analysis;

C. Further, the Receiver is authorized and ordered to immediately begin work to repair the imminently dangerous conditions existing at the premises, to wit: repair pitch system as soon as any necessary plans and/or permits are obtained.

and is authorized to issue and to assign (a) receiver's certificate(s) in the amount of the funds expended/required to complete said repairs

D. The Receiver, is authorized a fee for preparation of a Feasibility Study and Management and Repair Plan for the premises as follows:

- 1) Not more than \$ 2000 .00 for Feasibility Study upon completion; and
- 2) Not more than \$ 1000 .00 for third party costs (appraisers, inspections, attorneys and the like).

E. _____ The Receiver shall post a surety bond with the Clerk of the Circuit Court, in the amount of \$ _____, on or before _____, 200 _____

The Receiver's surety bond is waived

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- F. Applicant's bond shall be excused pursuant to 65 ILCS 5/11-31-2.3, which provides that applicant's bond must be excused when the applicant is a municipality applying under Section 5/11-31-2 of the same chapter.
- G. Defendants who have been served or appeared in this cause are required to deliver to the Receiver, upon demand, all leases, books of accounts, and all other papers and documents required to conduct a feasibility plan for the premises, together with all keys to the property, on or before three days following the date of entry of this order.
- H. Defendants who have been served or appeared in this cause, their agents and assigns, are enjoined and restrained from interfering with or obstructing the Receiver's performance of his/her receivership duties.

I. This cause is continued to 5/18 2006 at 9:30 a.m./p.m., in courtroom for the Receiver's Report on Repairs and Feasibility Report to determine whether the property is salvageable, a general receivership is feasible, ~~and~~ whether the Receiver's duties should expand, ~~and the status of authorized repairs.~~
 Hearing Date: 3/30/06

ENTER: 3-30-06

David B. Atkins
 Judge D. Atkins Judge No. Room 1101

Mara S. Georges
 Corporation Counsel
 By: *[Signature]* Asst.
 Attorney for Plaintiff/Petitioner
 30 North LaSalle Street, Suite 700
 Chicago, Illinois 60602
 (312) 744-8791
 Atty No. 90909

JUDGE DAVID B. ATKINS

MAR 30 2006

Circuit Court - 1879

Property of Cook County Clerk's Office